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TOWNSEND and TOWNSEND and CREW LLP
By: *JoAnn Evangelista*
JoAnn Evangelista

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 3763**

PATENT
Attorney Docket No.: 19744P-000300US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL A. EVANS et al.

Application No.: 09/388,294

Filed: September 1, 1999

For: METHODS AND APPARATUS
FOR ACCESSING AND TREATING
BODY LUMENS

Examiner: SIRMONS, K.

Art Unit: 3763

AMENDMENT

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed October 25, 2002, please amend the above-identified application as follows. A marked up copy of all amended claims are provided in Appendix A. A clean copy of all pending claims are in Appendix B.

IN THE CLAIMS:

Please **amend** claims 33 and 42.

33. (Twice Amended) A device for positioning a filament in a body lumen having lumen walls, said device comprising:



JAN 30 2003

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|------------------------------------------|----|------------------------|-------------------|
| | | Application Number | 09/388,294 |
| | | Filing Date | September 1, 1999 |
| | | First Named Inventor | EVANS, MICHAEL A. |
| | | Group Art Unit | 3763 |
| | | Examiner Name | SIRMONS, K. |
| Total Number of Pages in This Submission | 11 | Attorney Docket Number | 19744P-000300US |

ENCLOSURES (check all that apply)

| | | |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Return Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | Remarks |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------------------|------------------------------------|-----------------|
| Firm and Individual name | Townsend and Townsend and Crew LLP | Reg. No. 47,991 |
| Signature | | |
| Date | January 24, 2003 | |

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| Typed or printed name | JoAnn Evangelista | | |
| Signature | | | |
| | Date | January 24, 2003 | |

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